

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Kevin Scott Karsjens, et al.,

Civil No. 11-3659 (DWF/AJB)

Plaintiffs,

v.

**PRETRIAL SCHEDULING ORDER**

Lucinda Jesson, in her official capacity  
as Commissioner of the Minnesota Department  
of Human Services, et al.,

Defendant.

Pursuant to Rule 16 of the Federal Rules of Civil Procedure and the Local Rules of this Court, and in order to secure the just, speedy, and inexpensive determination of this action, the following schedule shall govern these proceedings. The schedule may be modified only upon formal motion and a showing of good cause as required by Local Rule 16.3.

**Discovery Plan**

1. Plaintiffs and Defendants are to file any pre-discovery dispositive motions on or before September 21, 2012. Plaintiffs also are to file any pre-discovery motions relating to witness or expert fees on or before September 21, 2012. The responses are due to be filed by October 19, 2012, and any reply briefs are due to be filed by November 2, 2012.
2. Fact discovery is hereby stayed until November 2, 2012. However, no depositions will take place until after United States District Court Judge Donovan Frank rules on any dispositive motions that are filed on September 21, 2012.
3. Fact discovery shall be commenced in time to be completed by November 1, 2013.
4. Plaintiff shall disclose the identity of expert witnesses, required under Rule 26(a)(2)(A) on or before July 1, 2013. Plaintiff shall make the full disclosures required by Rule 26(a)(2)(B), accompanied by the written report prepared and signed by the expert witness, on or before August 1, 2013.
5. Defendant shall disclose the identity of expert witnesses, required under Rule 26(a)(2)(A) on or before July 1, 2013. Defendant shall make the full disclosures required by Rule 26(a)(2)(B), accompanied by the written report prepared and

signed by the expert witness, on or before August 1, 2013.

6. Rebuttal expert reports are due on or before September 3, 2013.
7. No more than 25 interrogatories (counted in accordance with Fed. R. Civ. R. 33(a)) shall be served by either side.
8. No more than 20 depositions, excluding expert witness depositions, shall be taken by each side. Each side shall take no more than 3 expert depositions. Expert discovery, including depositions, shall be completed by November 1, 2013.

#### Non-Dispositive Motions

(Non-dispositive motions may be scheduled for hearing by calling Jackie Phipps, Calendar Clerk, 651-848-1180.)

1. All motions which seek to amend the pleadings or add parties must be served by January 15, 2013. Any motion to amend to allege punitive damages must be served and filed by the discovery deadline date.
2. All other non-dispositive motions and supporting documents, including those which relate to discovery, shall be served and filed by November 15, 2013.
3. Prior to scheduling any non-dispositive motion, parties are encouraged to consider whether the motion, including motions relating to discovery and scheduling, can be informally resolved through telephone conference with the Magistrate Judge. All non-dispositive motions shall be scheduled, filed and served in compliance with the Electronic Case Filing Procedures for the District of Minnesota and in compliance with Local Rules 7.1, 37.1, and **shall be presented in a form that complies with Local Rule 37.2.**

#### Dispositive Motions

1. All dispositive motions shall be **served and filed** by the Court by January 15, 2014. (Counsel are advised that they must schedule this hearing by calling Calendar Clerk Brenda Schaffer, 651-848-1296.)
2. All dispositive motions shall be scheduled, filed and served in compliance with the Electronic Case Filing Procedures for the District of Minnesota and in compliance with Local Rule 7.1.

#### Trial

This case shall be ready for trial on July 1, 2014, or upon resolution of any pending dispositive motions. Each side may call no more than 3 expert witnesses.

Date: August 22, 2012

*s/ Arthur J. Boylan*  
Arthur J. Boylan  
United States Chief Magistrate Judge